

REMARKS

In view of the above amendments and the following remarks, the Examiner is respectfully requested to withdraw the rejections and allow Claims 1-22, the only claims pending and currently under examination in this application.

Independent Claims 1, 7, 13 and 19 have been amended to further specify that in the subject methods, one uses both the retention time and ratio to detect the presence of the analyte. Support for this amendment can be found throughout the specification and exemplification. See e.g., page 4, lines 28 ff. As the above amendment introduces no new matter and places the application in better form for allowance, its entry by the Examiner is respectfully requested.

In the Final Rejection, the rejection of Claims 1-6 under 35 U.S.C. § 102(b) as being anticipated by Rosenfeld was maintained. As summarized above, all of the claims have been amended to clarify that one looks at both the retention times and the ratios of the derivatives in order to detect the presence of the analyte of interest. As Rosenfeld fails to teach a method where the ratio and retention time of two or more derivatives are employed to detect the presence of an analyte, Rosenfeld does not anticipate the claims and this rejection may be withdrawn.

Finally, the rejection of Claims 1-22 under 35 U.S.C. § 103 over Rosenfeld has also been maintained. As summarized above, all of the claims have been amended to clarify that one looks at both the retention times and the ratios of the derivatives in order to detect the presence of the analyte of interest. Rosenfeld fails to teach or even suggest a method where the **ratio** and retention time of two or more derivatives are employed to detect the presence of an analyte. In fact, Rosenfeld does not even teach or suggest determining the ratio of two different analyte derivatives, much less using this value along with retention times to detect the presence of an analyte. Accordingly, Rosenfeld does not render the claims obvious and this rejection may be withdrawn.

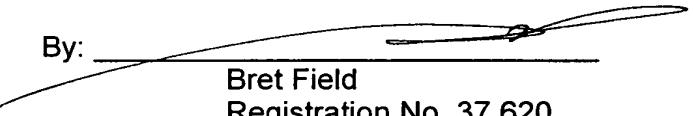
CONCLUSION

Applicants submit that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-1078.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date: May 27, 2003

By: 

Bret Field
Registration No. 37,620

F:\DOCUMENT\AGIL\124 (10003375-1)\response to OA 2-26-03 for 10003375-1 (AGIL-124).doc